

Nuclear Regulatory Commission

§ 51.69

copies specified. The applicant shall retain additional copies of the environmental report or any supplement to the environmental report in the number of copies specified for distribution to Federal, State, and local officials and any affected Indian tribes in accordance with written instructions issued by the Director of Nuclear Material Safety and Safeguards.

(b)

ENVIRONMENTAL REPORT

Type of licensing action	Number of copies to be submitted with application	Number of copies to be retained by applicant for subsequent distribution
Licensing actions requiring environmental impact statements pursuant to § 51.20(b).	25 copies	125 copies.
Licensing actions requiring environmental assessments pursuant to § 51.21.	15 copies	None.

[49 FR 9381, Mar. 12, 1984, as amended at 52 FR 8241, Mar. 17, 1987; 58 FR 7737, Feb. 9, 1993]

§ 51.67 Environmental information concerning geologic repositories.

(a) In lieu of an environmental report, the Department of Energy, as an applicant for a license or license amendment pursuant to part 60 or 63 of this chapter, shall submit to the Commission any final environmental impact statement which the Department prepares in connection with any geologic repository developed under Subtitle A of Title I, or under Title IV, of the Nuclear Waste Policy Act of 1982, as amended. (See § 60.22 or § 63.22 of this chapter as to the required time and manner of submission.) The statement shall include, among the alternatives under consideration, denial of a license or construction authorization by the Commission.

(b) Under applicable provisions of law, the Department of Energy may be required to supplement its final environmental impact statement if it makes a substantial change in its proposed action that is relevant to environmental concerns or determines that there are significant new circumstances or information relevant to

environmental concerns and bearing on the proposed action or its impacts. The Department shall submit any supplement to its final environmental impact statement to the Commission. (See § 60.22 or § 63.22 of this chapter as to the required time and manner of submission.)

(c) Whenever the Department of Energy submits a final environmental impact statement, or a final supplement to an environmental impact statement, to the Commission pursuant to this section, it shall also inform the Commission of the status of any civil action for judicial review initiated pursuant to section 119 of the Nuclear Waste Policy Act of 1982. This status report, which the Department shall update from time to time to reflect changes in status, shall:

(1) State whether the environmental impact statement has been found by the courts of the United States to be adequate or inadequate; and

(2) Identify any issues relating to the adequacy of the environmental impact statement that may remain subject to judicial review.

[54 FR 27870, July 3, 1989, as amended at 66 FR 55791, Nov. 2, 2001]

ENVIRONMENTAL REPORTS—RULEMAKING

§ 51.68 Environmental report—rule-making.

Petitioners for rulemaking requesting amendments of parts 30, 31, 32, 33, 34, 35, 36, 39, 40 or part 70 of this chapter concerning the exemption from licensing and regulatory requirements of or authorizing general licenses for any equipment, device, commodity or other product containing byproduct material, source material or special nuclear material shall submit with the petition the number of copies, as specified in § 51.69, of a separate document entitled "Petitioner's Environmental Report," which shall contain the information specified in § 51.45.

[49 FR 9381, Mar. 12, 1984, as amended at 52 FR 8241, Mar. 17, 1987; 58 FR 7737, Feb. 9, 1993]

§ 51.69 Environmental report—number of copies.

Petitioners for rulemaking covered by § 51.68 shall submit fifty (50) copies